

Notice of Allowability

Application No.

10/799,108

Examiner

William L. Miller

Applicant(s)

MONETTE ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 09-20-2007.
2. ☒ The allowed claim(s) is/are 2,4,9-18 and 20-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20071005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey Schox on 10-05-2007.

The application has been amended as follows:

In the claims:

Claims 4, 9, and 14-18 were amended as shown below;

Claims 9-11 were rejoined; and

Claims 20-22 were added as shown below.

4. (Currently Amended) A mailbox comprising: a body defining a first opening adapted to receive a mail item, defining a cavity adapted to contain the mail item, having an opaque primary section that substantially prevents light from entering into the cavity, and having a translucent secondary section made from a material selected from the group consisting of frosted, shaded, and pebbled that ~~substantially allows light to enter into the cavity and~~ substantially prevents viewing of the cavity; and

a first door coupled to the body and adapted for movement between an open position that allows access through the first opening into the cavity and a closed position that prevents access through the first opening, wherein at least a portion of the first door is transparent, wherein the

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translucent secondary section of the body and the transparent portion of the first door cooperate to allow light to enter into the cavity and exit through the transparent portion of the first door and substantially allow[[s]] viewing of the cavity with the first door in the closed position.

9. (Currently Amended) ~~A mailbox comprising: a body defining a first opening adapted to receive a mail item, defining a cavity adapted to contain the mail item, having a primary section that substantially prevents light from entering into the cavity, and having a secondary section that substantially allows light to enter into the cavity;~~

~~a first door coupled to the body and adapted for movement between an open position that allows access through the first opening into the cavity and a closed position that prevents access through the first opening, wherein the first door substantially allows viewing of the cavity in the closed position; and~~ The mailbox of Claim 4, further comprising a privacy door coupled to the body adjacent the first door and adapted for movement between an open position and a closed position, wherein the privacy door substantially prevents viewing of the cavity in the closed position.

14. (Currently Amended) The mailbox of Claim 13 ~~[[12]]~~ wherein the second door is substantially opaque and substantially prevents viewing of the cavity in the closed position.

15. (Currently Amended) The mailbox of Claim 13 ~~[[12]]~~ wherein the second door is made of an opaque plastic material.

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16. (Currently Amended) The mailbox of Claim 13 [[12]] wherein the second door is made of a translucent plastic material.

17. (Currently Amended) The mailbox of Claim 13 [[12]] wherein at least a portion of the second door is transparent and substantially allows viewing of the cavity in the closed position.

18. (Currently Amended) The mailbox of Claim 13 [[12]] wherein the second door is made of a transparent plastic material.

20. (New) The mailbox of Claim 4 wherein the secondary section is made of plastic material.

21. (New) The mailbox of Claim 20 wherein the secondary section is located on a top portion of the mailbox.

22. (New) The mailbox of Claim 21 wherein the secondary section is shaped in the form of a rectangle.

2. The following is an examiner's statement of reasons for allowance: Regarding claim 4, the prior art of record fails to show or suggest the mailbox as claimed in detail, specifically the combination of a transparent door portion and a body section having an opaque primary section and a translucent secondary section which is frosted, shaded, or pebbled, such that the

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translucent body section and the transparent door portion cooperate to allow light to enter into the cavity and exit through the transparent door portion to allow viewing of the cavity with door in the closed position. This arrangement is a critical feature of the applicant's invention as it functions to improve the visibility of the mailbox interior while maintaining the privacy thereof (see spec, paragraph [0008]). The previously applied teaching reference of Castro (US#4359185) fails to disclose and teaches away from a frosted, shaded, or pebbled translucent section.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is (571) 272-7068. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William L. Miller
Primary Examiner
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WLM